

## Remarks

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claims 1-40, 45, 49, 50 and 54 have been amended. Claims 41-44 has been canceled. No claims have been added. Thus, claims 1-40 and 45-56 are pending.

### CLAIM REJECTIONS - 35 U.S.C. § 103(a) - Claims 1 and 10

Claims 1 and 10 were rejected as being unpatentable over U.S. Patent No. 5,093,841 issued to Vancraeynest (hereinafter “*Vancraeynest*”) in view of U.S. Patent No. 6,111,910 issued to Cui, et al. (hereinafter “*Cui*”).

Claim 1 recites:

maintaining a history of correlation of the received digital chip stream with a pseudo-noise sequence over more than two bit periods; and synchronizing a bit clock by using the history of correlation.

Thus, Applicants claim maintaining a history of correlation of a received stream with a pseudo-noise sequence.

Applicants agree with the Office Action that *Vancraeynest* does not disclose maintaining and using a history of previous correlations. See page 3 of the November 19, 2003 Office Action. While *Cui* discloses a “history correlator” in Figure 3 (element 14), the history correlator does not maintain a history of correlation between a received stream with a pseudo-noise sequence. Specifically, the *Cui* states:

Inside the MCSE demodulator is a history data correlator 14, which receives from the diversity combiner 8, the received signal as an input. The history data correlator 14, which also takes as input the decision signal associated with the previous received signal, outputs a history data

correlation,  $F_R$ . This correlation is passed to the input of a reference correlator 15.

See col. 6, lines 30-36.

Thus, *Cui* discloses determining a correlation between a received signal and a decision signal from a previous received signal. In contrast, claim 1 recites determining a correlation between a received stream and a pseudo-noise sequence. Therefore, no combination of *Vancraeynest* and *Cui* can teach or suggest the invention as claimed in claim 1.

Claim 10 depends from claim 1. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claim 10 is not rendered obvious by *Vancraeynest* and *Cui* for at least the reasons set forth above.

CLAIM REJECTIONS - 35 U.S.C. § 103(a) - Claims 2-4, 6, 8, 11, 12, 15, 23, 25, 27, 29, 33, 35, 37, 38, 40-44, 46, 47 and 54

Claims 2-4, 6, 8, 11, 12, 15, 23, 25, 27, 29, 33, 35, 37, 38, 40-44, 46, 47 and 54 were rejected as being unpatentable over *Vancraeynest* in view of *Cui* in further view of U.S. Patent No. 5,373,140 issued to Bustamante, et al. (hereinafter “*Bustamante*”).

Claims 42-44 have been canceled. Therefore, the rejection of claims 42-44 is moot.

Claims 2-4, 6, 8, 11, 12, 15, 23, 25, 27, 29, 33, 35, 37, 38 and 40 depend, directly or indirectly, from claim 1. As discussed above, no combination of *Vancraeynest* and *Cui* teaches or suggests the invention as claimed in claim 1. *Bustamante* is not cited to teach, nor does *Bustamante* teach or suggest maintain a history of correlation between a received stream with a pseudo-noise sequence. Therefore, *Bustamate* does not cure the deficiencies of *Vancraeynest* and *Cui*. Accordingly, no combination of *Vancraeynest*,

*Cui* and *Bustamante* can teach or suggest the invention as claimed in claims 2-4, 6, 8, 11, 12, 15, 23, 25, 27, 29, 33, 35, 37, 38 and 40.

CLAIM REJECTIONS - 35 U.S.C. § 103(a) - Claims 5, 7, 9, 12, 14, 16-18, 20-22, 24, 26, 28, 30-32, 34, 36, 39, 48, 50 and 52

Claims 5, 7, 9, 12, 14, 16-18, 20-22, 24, 26, 28, 30-32, 34, 36, 39, 48, 50 and 52 were rejected as being unpatentable over *Vancraeynest* in view of *Cui* and *Bustamante* in further view of U.S. Patent No. 5,768,306 issued to Sawahashi, et al. (hereinafter “*Sawahasi*”).

Claims 48 has been amended to depend from claim 45 and claims 50 and 52 have been amended to depend from claim 49. Claims 45 and 49 have been amended to include allowable subject matter. Accordingly, Applicants submit that claims 48, 50 and 52 are in condition for allowance.

Claims 5, 7, 9, 12, 14, 16-18, 20-22, 24, 26, 28, 30-32, 34, 36 and 39 depend, directly or indirectly, from claim 1. As discussed above, no combination of *Vancraeynest* and *Cui* teaches or suggests the invention as claimed in claim 1. Further, neither *Bustamante* nor *Sawahasi* are not cited to teach, nor do *Bustamante* or *Sawahasi* teach or suggest maintain a history of correlation between a received stream with a pseudo-noise sequence. Therefore, no combination of *Bustamate* and *Sawahasi* can cure the deficiencies of *Vancraeynest* and *Cui*. Accordingly, no combination of *Vancraeynest*, *Cui*, *Bustamante* and *Sawahasi* can teach or suggest the invention as claimed in claims 5, 7, 9, 12, 14, 16-18, 20-22, 24, 26, 28, 30-32, 34, 36 and 39.

ALLOWABLE SUBJECT MATTER

Claims 45, 49 and 51 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and intervening claims. Claims 45 and 49 have been rewritten in independent form including the limitations of the base claim (41) and any intervening claims. Claim 51 depends from claim 49. Applicants submit that claims 45 and 49 as amended and claim 51 are in condition for allowance.

Claims 55 and 56 were allowed over the prior art of record.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1-40 and 45-56 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Application No. 09/576,056  
Amendment dated July 22, 2004  
Response to Office Action of June 22, 2004

Atty. Docket No. 30019.100USU1 (42390.P7751)  
Examiner Pathak, Sudhanshu C.  
TC/A.U. 2634

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Respectfully submitted,  
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Date: July 22, 2004

  
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